

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 2**

Barnard College

Employer

And

Case 02-CA-200574

Local 2110, United Auto Workers,

Charging Party

**GENERAL COUNSEL’S STATEMENT OF EXCEPTIONS TO THE
ADMINISTRATIVE LAW JUDGE’S DECISION AND ORDER**

Pursuant to Section 102.46 of the Board’s Rules and Regulations, Counsel for the General Counsel hereby files the following exceptions to certain portions of the Decision and Recommended Order by Administrative Law Judge Geoffrey Carter, herein referred to as ALJ, dated September 14, 2018, in the above-captioned matter insofar as the ALJ erred in failing to find that Barnard College, herein Respondent, violated Sections 8(a)(1) and (5) of the Act by failing and refusing to provide information that UAW Local 2110 (the Union) requested concerning why Respondent did not reappoint certain contingent faculty members in 2017.¹ More specifically, the General Counsel’s exceptions to the ALJ Decision and Order are as follows:

EXCEPTIONS

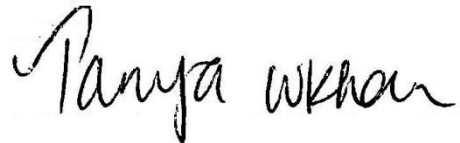
1. The ALJ erred in accepting Respondent’s position regarding “good faith consideration” without finding the Union waived its right to the information. ALJD 12:7-11.
2. The ALJ erred in relying on case law that is inapposite to the case at bar, for the proposition that Respondent’s refusal to provide information was merely a miscommunication. ALJD 12:10-21.
3. The ALJ erred in accepting Respondent’s narrow reading of the Union’s information request. ALJD 12:23-28, 13:1-2.

¹ In these exceptions, the Administrative Law Judge will be referred to as the “ALJ”, the National Labor Relations Board will be referred to as the “Board”, Local 2110, United Auto Workers will be referred to as the “Union” or “Charging Party”, and Barnard College will be referred to as “Respondent”. Citations to the ALJ’s decision will be referred to as “ALJD” followed by the page and line numbers specifically referenced.

4. The ALJ ignored the Union's testimony that it had discussions with Respondent that it wanted the reasons why contingent faculty were terminated. Tr. 38.

Dated at New York, NY
This day of 12th October 2018

Respectfully submitted,

A handwritten signature in black ink that reads "Tanya W. Khan". The signature is written in a cursive, flowing style.

Tanya W. Khan
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